

“Neither Safe Nor Secure” Indian Country Detention Facilities

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VIDEO	AUDIO
<p>SCENE #1 Indian Country & Notable Incident</p> <p>Long, traveling shots of Indian Country landscapes, intercut with shots of DCs.</p>	<p>(Sound EFX – wind)</p> <p><u>Narrator:</u> Indian Country is vast, covering some 56 million acres in 35 states; home to 1.5 million American Indians and Alaska natives, who are members of 562 federally recognized Indian tribes.</p>
<p>BIA and LES logos <i>Add separate text in box:</i> 17 detention facilities are operated by BIA-LES. 46 operate under contract</p>	<p>Their link to the federal government is BIA, the Bureau of Indian Affairs, whose programs include law enforcement and detention services provided by LES, the Office of Law Enforcement Services. Law Enforcement Services operates 17 detention facilities. It also provides funding and oversight to 46 detention facilities operated under contract by the tribes.</p>
<p>Shots of Yakama jail; broken light fixture etc</p>	<p>(Music: low; moody but not dramatic)</p> <p>In one of those jails, on the Yakama reservation in Washington state on June 25th, 2004, an inmate committed suicide under conditions that dramatically illustrate BIA's failure to remedy long-recognized, deplorable conditions:</p> <p>In STAFFING: no dedicated detention officer was assigned to monitor the jail's inmates</p> <p>In SAFETY AND SECURITY: an overburdened police dispatcher was required to add jail monitoring, which should be a full time job, to her other duties.</p> <p>In TRAINING: the inmate was able to take his own life because a common bucket had been carelessly left in his cell.</p> <p>In MAINTENANCE & REPAIR: a broken light fixture that had gone unrepaired for months was the mechanism that made the suicide possible.</p> <p>The sad irony of this episode – it occurred one month after the Inspector General of the Department of the Interior, and a team of investigators visited the Yakama jail -- and two days after the IG testified before the Senate Committee on Indian Affairs about the deplorable conditions of the detention centers.</p>

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<p>SCENE #3 The Final Report</p> <p>Pageturn of cover to reveal copy</p>	<p><u>Narrator:</u> The Office of Inspector General's report - “Neither Safe nor Secure, An Assessment of Indian Detention Facilities” “ says this:</p> <p><u>Report Narrator: (female)</u> BIA has failed to provide safe and secure detention facilities throughout Indian Country. Our assessment revealed a long history of neglect and apathy on the part of BIA officials, which has resulted in serious safety, security, and maintenance deficiencies at the majority of the facilities... (Page 3)</p>
<p>SCENE #4 Investigation Protocol</p> <p>B-roll IC</p>	<p><u>Narrator:</u> The OIG report is based on the work of investigators, who conducted site visits at 27 detention facilities in Indian Country. They observed routine operations at each jail, reviewed detention and budget records, conducted interviews with BIA and Tribal officials, and with local and federal detention professionals.</p>
<p>B-roll</p>	<p>Again and again, detention officers at the inspected sites conveyed stories of serious, dangerous incidents with an air of casual inevitability. Sadly, the recent Yakima suicide was not a singular episode. The final report states.</p>
<p>SCENE #5 Serious Incidents</p> <p>Report cover curls back to reveal “Serious Incidents” section</p>	<p><u>Report Narrator:</u> We discovered there have been 11 fatalities, 236 attempted suicides, and 631 escapes at Indian Country jails over the last three years. We believe these numbers to be conservative given that 98% of these incidents have never been reported to BIA-LES.... One jail administrator confirmed our concerns that incidents are underreported when he stated, “What happens on the reservation stays on the reservation.”</p>
<p>Escape B-roll Handcuffs over lock shot</p>	<p><u>Narrator:</u> The result of this attitude: Public awareness has been deflected from these physically run down, deplorably maintained facilities, that offer ample opportunity for escape.</p> <p>An example: at this jail a recreation yard gate was held together and locked by handcuffs because inmates had learned the combination to the cipher lock.</p>
	<p>Even more disturbing than the circumstances and frequency of inmate escapes, is the lack of response and poor record keeping by</p>

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	detention officers and facility administrators alike. Talking about a juvenile escape incident, one administrator simply stated, “we “haven’t seen him since.”
	<p>The frequency and number of serious incidents - deaths, suicide attempts, inmate assaults and escapes – are indicators of a detention system in crisis, struggling to maintain effective, day-to-day operations.</p> <p>Another contributing factor: staffing. Overall, investigators found that on a regular basis 79% of the facilities fell below minimum staffing levels. According to the report:</p>
<p>SCENE #6 Staffing</p> <p>Restage existing format</p>	<p><u>Report Narrator:</u> Inadequate staffing greatly increases the potential for BIA liability when injuries, deaths or escapes happen. We believe there is a direct correlation between insufficient staff and the number of serious incidents and escapes that occur at Indian Country jails.</p>
	OIG investigators found that in many facilities, detention officers had collateral duties which pulled their attention away from security issues. Astoundingly, some jails were found to have shifts with no detention officers on duty at all.
	<p>At the Mescalero jail a lone female officer was confronted at knife-point by a former inmate who entered the facility through an unlocked door. The officer locked herself into a detention cell. A trustee convinced the intruder to leave the officer alone. Another inmate summoned the police.</p> <p>Clearly, detention officers should not be forced to place their personal security, even survival, in the hands of inmates during a crisis, assault, or for any other reason.</p>
	<p>The problem of inadequate staffing is compounded by overcrowding.</p> <p>For example, this jail has a rated capacity of 34 but routinely holds more than 110 inmates. Consequently, more than half the inmates must sleep on cell-floor mats, increasing the potential for altercations as inmates step over and move around other inmates in the cramped space.</p>
<p>SCENE #7 Training</p>	<p>Narrator: Another critical area addressed in the final report is Training:</p>

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Repeat page turn format	<u>Report Narrator:</u> Utilization of untrained or poorly trained personnel places inmates and officers at great risk and obviously raises concern about the overall safety and security of many of the detention facilities.
B-roll illustrates copy, with key word supers	Narrator: Another assessment criterion used by investigators is facility maintenance and repair. The report states:
SCENE #8 Maintenance & Repair Format reprise	<u>Report Narrator:</u> We found the condition of the majority of the jails we visited to be abysmal—the result of years of neglect and failure to perform even routine repairs in a timely manner.
	Responsibility for maintenance and repair of BIA-owned detention facilities is the domain of BIA’s Office of Facility Maintenance and Construction (OFMC) which operates independently of BIA’s Law Enforcement Services. Consequently, jail administrators have no direct authority over local maintenance personnel, and therefore no authority to prioritize maintenance and repair work at their facilities.
	Investigators found that many maintenance shortcomings have a direct impact upon officer and inmate safety, yet there is little indication that OFMC or detention personnel place much emphasis on expediting repairs that affect detention officer or inmate safety.
	An Example: In several jails, virtually all the Plexiglas was scratched, burned or damaged to the point that it was extremely difficult – if not impossible – for detention officers to see inside the cells to monitor inmates.
	Closely related to Maintenance and Repair, Budget and Funding issues were closely scrutinized by auditors and investigators during the review process. The Final Report had this to say.
SCENE #9 Budget & Funding Format redux	<u>Report Narrator:</u> We found that detention program funding is haphazardly managed by BIA, and once distributed to the tribes, it becomes virtually unaccounted for. BIA could produce little evidence of basic budget planning, budget execution or budgetary controls. (page 2)
B-roll	According to an April 2004 Department of Justice status report, construction of 13 new jails was to have been completed.

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	Today, only two of those completed jails are actually open and occupied. Nine remain unoccupied due to staffing shortfalls.
Format reprise, page turn To highlighted copy	The Final report goes on to say this: <u>Report Narrator:</u> “This overall neglect of detention program funding oversight has created an environment in which fraud can be perpetrated with impunity and waste can continue undiscovered, because nobody at BIA is paying attention.”
Indian Country driving shots	To improve Indian Country jails, BIA managers face a range of tough challenges as they develop a plan to correct deficiencies documented by the OIG assessment.
Woebegone stills	Perhaps the most significant will be to overcome the frustration, cynicism, and apathy expressed by many detention personnel. The overall mismanagement and neglect of the program has left many with the attitude that nobody cares about the jails, the staff, or the inmates.
	This vicious cycle of apathy and substandard performance can lead to nothing but worse conditions in the future, and greater risk today.
SCENE #10 Conclusion	Among BIA's obligations to Indian Country is the management of detention facilities and the assurance of their safety and security. The OIG assessment: across the board this is not presently the case. There is no safety where rampant mismanagement and neglect prevail. There is no security where frustration, apathy and cynicism are the norm. The assurance of a safe, secure environment requires attention; not just increased funding. Safety and security can be assured. The Time is Now!
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